

REMARKS

Claims 1-28 are pending in the reissue application. For purposes of expedition, dependent claims 29-31 have been canceled without prejudice or disclaimer and their limitations regarding to term "simultaneously" have been incorporated into base claims 17, 21 and 25 in order to place all claims in condition for allowance. Of claims 1-28, claims 1, 16-17, 21 and 25 are independent claims.

Previously, base claims 17, 21 and 25 have been amended to avoid the recapture rule as previously presented in the Amendment filed on June 4, 2003, that is, to contain limitations that are narrower in an aspect germane to a previously stated prior art rejection, but are broader in other aspects unrelated to the rejection, for reasons discussed above. As a result, when the rules and principles advanced by *Ex parte Eggert* are applied to the reissue claims 17, 21 and 25 as pending in the instant application, the improper recapture rule does not apply.

Subsequently, an In-Person Office Interview with the Examiner in charge of the above-referenced application was conducted on January 21, 2004. During that Office Interview, the Examiner has indicated that the improper recaptured rule under 35 U.S.C. §251 should not be applied in the present situation. On the Interview Record, the Examiner states that,

"Applicant points out that claims 1-16, as original patented claims, should be continuously allowed, and should not be rejected under 35 U.S.C. §251. Applicant also discusses the standard for determining when an improper recapture rule can be invoked under *Ex Parte Eggert* and argues that the newly presented claims 17-31 including the claimed limitations which are related to the limitations of "output means... simultaneously generates two different display voltages from the selected display voltage level" as presented in original patent claims. Applicant further argues that the newly added limitations are the modification of deleted limitation such as "simultaneously generates two different display voltages from the selected display voltage level".

and the new limitations are more narrow and more accurately descriptive of the disclosed invention, as shown, for example, in Figs. 9-11 of Applicant's disclosure, and as a result, should overcome the rejection under 35 U.S.C. §251 in consistent with Ex Parte Eggert. Examiner will consider applicant's arguments."

However, the Examiner has also indicated that, if the term "simultaneously" is reinstated in claims 17-31, all pending claims will be allowed. While Applicants believe that base claims 17, 21 and 25 have already been amended to overcome the rejection under 35 U.S.C. §251, particularly in the context of the newly added limitations to each of base claims 17, 21 and 25, such as, for example, the "generator for generating a plurality of display voltages...including a set of positive and negative polarity grayscale voltages corresponding to each of grayscales," the "selector for selecting one of said plurality of display voltages" and the "output circuit for outputting said selected one of said display voltages to said each of said output terminals" "wherein selected display voltages which correspond to adjacent two of said output terminals have different polarity from each other", base claims 17, 21 and 26 have been amended, for purposes of expedition, to reinstate the term "simultaneously" (incorporate that term from dependent claims 29-31) as suggested by the Examiner in order to place all claims in condition for allowance.

In view of the foregoing amendments, arguments and remarks, all claims 1-28 are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC area office at (703) 312-6600.

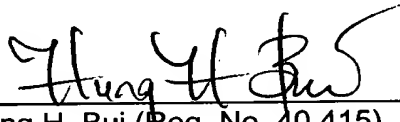
To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of

this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No. 500.33793R00), and please credit any excess fees to said deposit account.

Respectfully submitted,

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